

TERMINATING PEACE: MILITARY FLEXIBILITY DURING BOSNIAN RECONSTRUCTION AND STABILIZATION OPERATIONS

BY

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ABSTRACT

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This paper explores military experiences in Bosnia as a case study in designing a strategy for termination of military reconstruction and stabilization (RS) operations and transition to civil authority within a rehabilitated state. As the 15-year-old Republic of Bosnia and Herzegovina (B-H) prepares to assume a position on the UN Security Council, US and NATO experience over the past decade provides a wealth of insight into the civil-military interaction required for successful reconstruction and stabilization operations. Although B-H still faces challenges to fully functioning statehood, NATO's support of the Dayton Accords provides a template for the successful transition from military to civilian leadership in RS operations. NATO's military leaders demonstrated the boldness and flexibility to adapt missions, methods and reporting to changes in the military and political situation, both in B-H and their home states. An examination of NATO's participation in elections, law enforcement and refugee returns demonstrates that long-term success in RS operations depends not on a strict adherence to military-specific tasks, but on aggressive military support of civilian leadership in nonstandard roles to establish a functioning civil environment.

TERMINATING PEACE: MILITARY FLEXIBILITY DURING BOSNIAN RECONSTRUCTION AND STABILIZATION OPERATIONS

With the release of Department of Defense Directive (DODD) 3000.05—*Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations*— the Secretary of Defense directed that "stability operations are a core...military mission that [DOD] shall be prepared to conduct with proficiency equivalent to combat operations."¹ Similarly, the National Security Strategies of 2002 and 2006 point to the dangers of weak states as seedbeds for terrorist groups and the dangers of national instability growing into regional or global issues. Whether as part of a UN peacekeeping mission or as "Phase 4" of combat operations, US military and civil actions that seek to restore order and aid in stabilization or reconstruction promise to support global security, stability and economic growth. Yet success in this arena has proven much more difficult than victory in "traditional" combat operations.

As the 15-year-old Republic of Bosnia and Herzegovina (B-H) prepares to join the UN Security Council, US and North Atlantic Treaty Organization (NATO) experience over the past decade provides a wealth of insight into the civil-military interaction required for successful reconstruction and stabilization (RS) operations. Although B-H still faces challenges, NATO's support of the Dayton Accords provides a template for the transition from military to civilian leadership in RS operations. NATO's leaders demonstrated the flexibility to adapt missions, methods and reporting procedures to changes in the military and political situations, both in B-H and their home states. An examination of NATO's participation in elections, law enforcement and refugee returns reveals that long-term success in RS depends not on a strict adherence to military-

specific tasks, but on aggressive military support in nonstandard roles to civilian leadership in order to establish a functioning civil environment.

Background

With the rise of nationalist parties within the six Yugoslav states beginning in the mid-1980s, and resultant increasing calls for independence from the populations of Slovenia, Croatia and Bosnia, nationalist leaders in these states mobilized support along ethnic lines to justify territorial control based on demographics. In early July, 1991, Slovenian forces initiated hostilities against the Yugoslav army, and Slovenian sovereignty was recognized in the Brioni Agreement, signed by the six Yugoslav states and the European Community (EC) on July 7. Croatia and B-H quickly set out to follow the Slovenians, with a 1992 Bosnian referendum approving independence, which was subsequently recognized by the EC. However, Bosnian ethnic minorities—Serbs and Croats—each began to agitate for affiliation with their “parent” state. Both Serbia and Croatia in turn encouraged ethnic cleansing, through killing and relocation, in order to “purify” regions within Bosnia and subsequently attach, or at least affiliate them to their respective “motherland.” As a region populated by 41% Muslims, 31% Serbs, 17% Croats and 5% “others,” Bosnia quickly became center stage for a vicious proxy war between Serbia and Croatia, fought by Bosnian-Croats and Bosnian-Serbs, while the Muslim population attempted to assert its own autonomy.² In the early days of the war, Bosnian Serb forces dominated, making rapid territorial gains in the south and east, threatening Sarajevo itself in early 1992.

In February, 1992, through UNSCR 743, the UN established UN Protection Force (UNPROFOR), a 14,000-member peacekeeping mission that was intended “to create the conditions of peace and security required for the negotiation of an overall settlement

of the Yugoslav crisis.”³ UNPROFOR was overwhelmed by ethnic fighting over the next three years in Croatia and Bosnia as ethnic borders ebbed and flowed in the struggle to establish territorial ownership by ethno-nationalist leaders. After several abortive attempts by the European Union (EU) (as the EC was renamed in 1993) and the UN to stop the fighting, the US and NATO began using force as a means to bring the warring factions to the negotiating table. The final NATO escalation was triggered by the Serb takeover of Srebrenica, a designated UN Protected Area, in July 1995. The Serbs simply ignored Dutch UNPROFOR soldiers, and massacred more than 8000 Bosnian prisoners, “the worst single atrocity...in all of Europe since the Second World War.”⁴ In response, Croat (and some Muslim) forces trained by US contractors launched Operation STORM, retaking Serb-held territory in southwestern Bosnia. This offensive, supported indirectly by NATO airstrikes against Bosnian-Serb positions in Republika Srpska (RS) and around Sarajevo in late August, established a reality of territorial control that mirrored the US targeted political endstate: 51% of Bosnia was in Croat/Muslim control, and 49% was held by Serbs. Between August and November, Ambassador Richard Holbrooke conducted negotiations at the European and Balkan capitals to achieve the desired political resolution.

Finally, on November 21, 1995, after more than four years of ethnically-driven civil war, representatives from the newly formed Republic of B-H, the Republic of Croatia and the rump Former Republic of Yugoslavia (FRY), along with emissaries of the Contact Group (US, Britain, France, Germany and Russia) and the EU Special Negotiator initialed the General Framework Agreement for Peace (GFAP)—informally known as the Dayton Accords. This agreement, formally signed in Paris on December

14, established the means and methods by which the international community would stabilize and restore B-H.⁵

A Balkanized Peace: Agreements, Actors, and Tasks in the Dayton Accords

The GFAP provided for the division and administration of an independent B-H. It divided the Republic of B-H into two “Entities,” the Federation of Bosnia and Herzegovina (Bosnian and Croat), and the Republika Srpska (Serb) (RS), preserving the ethnic geography that existed at the end of the war. The intent was to allow some level of independence between the entities, while encouraging their gradual reconciliation under the watchful eyes of the Contact Group, represented by the civil Office of the High Representative (OHR), and the military Implementation Force (IFOR). The accords provided a basic constitution for the new republic, which delineated citizens’ rights; how the central government would function; and how the entities would relate to each other and the central government. The accords also set a timeline for elections, established entity boundaries, and provided a framework for returning displaced persons to their original homes.

Despite great detail in many areas, the 90-page GFAP left several questions unanswered and/or gave intentionally vague tasks and timelines to allow freedom of political maneuver. For instance, control of the Posavina Corridor and the Brcko district, which both the Federation and RS claimed, was put into arbitration so that the rest of the agreements could proceed.⁶ Other items were also intentionally vague, requiring significant adjustments over the next decade as each of the actors sought a final resolution. These items included the mechanisms by which transition from military to civilian to autonomous control would occur; and the final state of relations between the two entities.

The accords delineated which international actors would rebuild B-H, and the role each would play in transitioning the new republic to full autonomy. NATO's Implementation Force (IFOR) would assume responsibility for all the military tasks. Its mandate was well-defined and very limited. In fact, US military personnel were involved in the drafting of the GFAP specifically to keep military tasks limited and achievable.⁷ Annex 1A of Dayton gives IFOR the primary mission of stopping active combat by ensuring compliance by all parties, establishing the Cease-Fire Line and Zones of Separation, conducting liaison with entity civil and military agencies, and assisting in the withdrawal of UNPROFOR.⁸ IFOR's secondary missions were creating "secure conditions...for the conduct of other tasks associated with the peace settlement, including free and fair elections; the movement of organizations in the accomplishment of humanitarian missions; [assisting] the UNHCR and other international organizations in their humanitarian missions; [observing and preventing] interference with the movement of civilian populations, refugees, and displaced persons, and [responding] appropriately to deliberate violence to life and person"—but only "within the limits of its assigned principle tasks."⁹ Perhaps most critically for future flexibility, the IFOR commander was specifically allowed "without interference or permission of any Party, to do all the Commander judges necessary and proper...to protect the IFOR and to carry out the responsibilities" listed in the accords.¹⁰ After limiting the military deployment to 12 months in the GFAP, the PIC subsequently extended IFOR's mandate 18 additional months in December, 1996 (with a concurrent name change to Stabilization Force or SFOR). At the expiration of that term, the PIC extended SFOR's mandate indefinitely.

As a military force, IFOR would be “subject to the direction and political control of the North Atlantic Council (NAC) through the NATO chain of command.”¹¹ UNSCR 1031 modified this slightly by authorizing IFOR as a peacekeeping force under Chapter VII of the UN charter, and allowing non-NATO (primarily regional, former Warsaw Pact) nations to participate in IFOR.¹² Additionally, as is often the case in multi-national operations, parent governments exercised both political and military control over their forces which were nominally OPCOM to NATO. The US government was particularly concerned with timelines and mission creep (meaning the progressive assignment of new, “non-military” RS missions to the military element, for which it was resourced, but not trained or optimized to accomplish) that had characterized recent peacekeeping missions in Somalia—hence the 1-year IFOR mandate and the narrowly defined military objectives in Annex 1A.¹³

Responsibility for the civil administration of the new republic was much more fractured and poorly defined. The five nations of the Contact Group were the lead agents in drafting and enforcing the accords. However, a 55-nation Peace Implementation Council, “an ad-hoc group of interested countries,” appointed the Office of the High Representative (OHR).¹⁴ The first OHR, Carl Bildt, was asked to “facilitate the Parties' own efforts and to mobilize and, as appropriate, coordinate the activities of the organizations and agencies involved in the civilian aspects of the peace settlement” by monitoring implementation of the accords, and reporting on progress to the PIC, UN, EU, Russian Federation and other interested parties.¹⁵ Thus, the OHR was a mediator, severely limited in his authority to make decisions for the parties, the entities or the republic. Over time, the role of the OHR evolved, and in 1997, the PIC authorized a

more interventionist approach.¹⁶ Bildt's replacement, Carlos Westendorp, began "to make decisions that the former warring parties had been unwilling or unable to make,"¹⁷ including removing candidates or elected officials who were deemed "obstructionist," passing laws unilaterally, and creating a national flag and currency. The Dayton Accords also prohibited the OHR from having any authority over IFOR.¹⁸ As such, the OHR's authority was separate and parallel to that of the IFOR commander. The US argued this would shield IFOR from "a paralyzing reliance on UN [civil] direction that had discredited UNPROFOR," for which late and ineffective military decisions were made at the national political level.¹⁹

The GFAP assigned other civilian agencies roles in the rehabilitation of B-H. The Organization for Security and Cooperation in Europe (OSCE) was responsible for leading negotiations between the parties to "agree upon a series of measures to enhance mutual confidence and reduce the risk of conflict," such as restricting military deployments and the location of heavy weapons, disbanding special operations and armed civilian groups, and exchanging information on conventional weapons holdings of the two Entities.²⁰ OSCE was also responsible to "supervise...in cooperation with other international organizations...the preparation and conduct of elections" at the local, state and national level within nine months of the signing of the Accords. This included forming a Provisional Election Commission, developing electoral rules and certifying observers and voters.²¹ Finally, OSCE was responsible for providing an Ombudsman for Human Rights, who would investigate "either on his or her own initiative or in response to an allegation by any Party or person...alleged or apparent violations of human rights."²²

The United Nations High Commissioner for Refugees (UNHCR) assumed the lead in developing “a repatriation plan that [would] allow for an early, peaceful, orderly and phased return of refugees and displaced persons.”²³ Because of this specific requirement, and because the OHR was approved, but not appointed by, the UN, a separate Special Representative to the Secretary General (SRSG) was appointed for B-H (who would also provide oversight for the UN Development Program (UNDP) and International Police Task Force (IPTF) personnel deployed).²⁴

Police forces formed another critical civil contributor to Bosnian stability. The GFAP provided for the establishment of an International Police Force, supported by the UN through the IPTF, which would monitor, observe, advise, train and assist Bosnian and entity law enforcement agencies “in accordance with internationally recognized standards.”²⁵ This force, serving under a commissioner appointed by the UN Secretary General, would have no law enforcement executive authority and was unarmed to emphasize its advisory role. As such, the entities’ ethnically segregated police organizations, which became havens for war criminals and militiamen who had formerly belonged to the IFOR-disbanded military organizations, had nearly all of the law enforcement capability. Predictably, the level of impartial enforcement, reduction of human rights abuses and “official” support for returning minorities remained quite low.²⁶ With a chain of command that went directly to the UN Secretary-General, the IPTF was encouraged, but not required, to coordinate with the OHR and IFOR, except to communicate specific instances of “failures to cooperate” by the entities.²⁷

Despite the deliberate separation of civil and military implementation, the framers of the Dayton Accords did make some allowances for the coordination of the two

activities. Concurrent with its deployment, IFOR was to set up a Joint Military Commission (JMC) which would include representatives from IFOR, the entities' military forces, and a representative from OHR. This body was strictly limited to serving "as the central body for all Parties to this Annex to bring any *military* complaints, questions, or problems that *require resolution by the IFOR Commander* (emphasis added)." Although IFOR chaired this commission, the OHR could call a meeting when political-military issues arose. The GFAP also specified that IFOR would form smaller regional and local JMCs of a parallel composition to address military matters at the multi-national corps, brigade and battalion levels. Local civilian authorities were to be invited "where appropriate."²⁸

Similarly, the GFAP tasked the OHR with standing up a Joint Civilian Commission (JCC) consisting of the OHR, IFOR, senior political representatives of the Parties, and "representatives of those civilian organizations...the HR deems necessary." The purpose of the JCC was to "ensure the efficient implementation of the civilian aspects of the peace settlement." Again, subordinate JCCs were established at the local level to address lower level issues.²⁹ The parallel nature of these two structures initially led to a great deal of confusion and certainly prevented either from being as effective and efficient as it could have been. Yet the two commissions accurately reflected the distinct separation of responsibility and authority between the NAC/NATO military community, the PIC/Contact Group/OHR, and the UN/UNHCR/IPTF. As the NATO/OHR relationship grew closer, COMSFOR and OHR spent much of their time together in these meetings with the entities, with SFOR providing an implied threat behind the

OHR's demands. However, until these organizations began to operate with true unity of effort, the Dayton Accords had little chance for long-term success.

Evolving Approaches: Expanding NATO's Civil Role

As IFOR deployed into B-H, the focus was on rapid completion of its primary military tasks. Politicians and commanders alike assured contributing nations that they would fight against "mission creep." Yet, in the course of the twelve months of IFOR's existence, two realities became clear: the task of separating combatants could be accomplished quickly, and with no serious difficulties; and progress on the civil side was not keeping pace. As a result, it became clear that without direct military support to the civil aspects of Dayton, the IFOR/SFOR deployment could be extended indefinitely, or, if IFOR/SFOR were withdrawn, B-H would quickly return to ethnically-driven civil war. Put simply, NATO had separated the combatants, but had not addressed the underlying hostilities, so SFOR began planning for "mission evolution."³⁰

As IFOR established itself along the Inter-Entity Boundary Line (IEBL) without a single casualty, the capability to expand military tasking quickly became apparent.³¹ The evolution of military support to the OHR and UN is exemplified in three areas: military support for B-H local, regional and national elections; military augmentation of both the IPTF and Bosnian law enforcement institutions; and military involvement in the return of displaced persons. In each of these areas, Supreme Allied Commander, Europe (SACEUR), and the IFOR/SFOR commanders moved from a strictly military interpretation of Dayton tasks to an all-encompassing civil-military approach. Critically, they did this without having to "rewrite Dayton" at the negotiating table, and with minimal formal changes from the North Atlantic Council or parent nation political leaders.

Support for Local, Regional and National Elections. According to the GFAP, one of IFOR's secondary missions was "to create secure conditions for the conduct by others of...free and fair elections."³² As previously stated, the OSCE was responsible for conducting elections within nine months of the GFAP's signing. In what was the OSCE's "most significant field mission to that date,"³³ the organization quickly found itself under resourced, over tasked and behind timeline. IFOR's first commander, Admiral Leighton Smith, gradually accepted increased responsibility for the administration of the September 1996 elections. Military forces eventually printed ballots, registered voters, secured election sites, provided 19 secure routes across the IEHL on election day and assisted in vote counting.³⁴ Over the next 5 years, OSCE and OHR gradually became more capable at managing these elections and the military was able to remove itself from the process. By 2001, OSCE was able to turn over election responsibilities to the permanent Bosnian Election Commission, using laws passed under the Bosnian constitutional process.³⁵

The IFOR experience in Bosnia is born out in the 2008 version of FM 3-07, which states that "early elections in a highly polarized society empower elites, senior military leaders, and organized criminal elements."³⁶ Until OHR powers were expanded to exclude these individuals and parties, the long-term stability of the Bosnian democracy rested squarely on NATO's ability to support elections as a means of "establishing legitimate, effective government."³⁷ IFOR support for the September 1996 elections marked a turning point in the military and political reconstruction of Bosnia. This military support was critical in B-H because, as is often the case, neither the host nation nor the civil reconstruction institutions were sufficiently developed to function independently. For

the first time, NATO stepped outside its narrowly defined GFAP tasks in order to help create conditions for civil-military success.

Support for Law Enforcement. Adhering to its security mission of monitoring and ensuring “compliance by all Parties with withdrawal and redeployment of Forces...and the establishment of Zones of Separation,”³⁸ IFOR was initially unwilling to support either the IPTF or Bosnian police agencies in either routine law enforcement or the apprehension of suspected war criminals. This reticence was again primarily due to NAC reluctance to impose “mission creep” on domestically sensitive military deployments, especially when the pursuit of well-protected war criminals increased the likelihood of casualties. In fact, several nations had specifically prohibited their forces from being equipped with non-lethal or riot-control equipment, so that they could not be employed in a law enforcement role.³⁹ In the context of an IPTF deployment that took eight months to reach full strength, had difficulties establishing its own internal standards and with the quality of its own recruits, the military’s strict avoidance of rule of law missions left those tasks in the hands of Bosnia’s 45,000-plus local law enforcement officers—who made up “three ethnically based police forces that were not interested in protecting minorities or encouraging refugee returns.”⁴⁰ This in turn led to indicted war criminals living openly within supportive ethnic enclaves, serving in the police forces (especially after their militia/military units were disbanded) and even being elected to political office. RS was especially notorious for publicly flaunting the International Criminal Tribunal in Yugoslavia (ICTY), the dictates of the B-H central government and the recommendations of the OHR and IPTF. At the same time, the lack of reliable civil law enforcement institutions allowed organized crime to blossom throughout the nation,

and these organizations often became a shadow government that through patronage and graft were an impediment to viable civil government. Matters came to a head in August, 1997 in Brcko, when a mob of unarmed civilian Serbs nearly overran a US unit.⁴¹

Following this incident, SFOR began to take a much more active role in law enforcement. SACEUR, General Clark, was willing to act without specific NAC approval, believing “NATO’s future depended on visible and rapid success in the Balkans.”⁴² Operating under the GFAP’s statement that “the IFOR Commander shall have the authority...to do all that the Commander judges necessary...including the use of military force...to carry out”⁴³ assigned missions, SFOR was able to reorient itself to law enforcement tasks. Military forces detained most of the more than eighty indicted war criminals, handing them over to cooperative national law enforcement. At the same time, SFOR assumed “responsibility for controlling...Entity Police Forces...[and developed] an aggressive program of IPTF/SFOR inspections of police stations.”⁴⁴ With the help of a European constabulary augmenting the IPTF, national police forces gained a level of proficiency that allowed the IPTF mandate to end in 2002, and saw Bosnia upgraded from tier 3 to tier 2 by the US Department of State in its organized crime and human trafficking effectiveness.⁴⁵ Clearly, the move by SFOR into the civil security arena bought time for the Bosnian state until the IPTF and local law enforcement agencies were more capable of implementing the rule of law.

Restoring Refugees and Displaced Persons. The Bosnian civil war saw the internal and external displacement of more than one million people.⁴⁶ The second OHR, Carlos Westendorp described “the reluctance of the international community to push

harder for refugee return as its single largest failure in post-Dayton B-H.”⁴⁷ Again, NATO’s direct role in this regime was minimal. Rather than taking any overt actions, IFOR was only required “to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate violence to life and person,” while assisting the UNHCR in humanitarian missions.⁴⁸ As with elections and law enforcement, this mandate was initially interpreted quite literally by NATO leadership. In fact, IFOR seemed to encourage further ethnic differentiation, with COMIFOR, Admiral Smith encouraging and then supporting the exodus of more than 20,000 ethnic Serbs from the outskirts of Sarajevo (and away from Bosniak extremists) in Serb Army trucks.⁴⁹ IFOR troops also intervened to halt the return of hundreds of Muslim refugees to Gajevi and Jusici—ostensibly in order to verify applications for return—in the face of mob violence.⁵⁰ The continued ethnic homogenization of the entities after IFOR’s arrival made the military task of conflict reduction simpler. However, it was counter-productive to the longer-term civil (OHR, NAC and PIC) goal of restoring a heterogeneous society and government in B-H, and it ignored the legal responsibility to restore property to its rightful owners. Once again, however, the military approach changed as the PIC extended NATO mandates and commanders realized that without political reconciliation, the military mission could never terminate successfully.

The beginning of NATO’s changing role in refugee return happened as a byproduct of its increased cooperation with the ICTY. As SFOR demonstrated itself more willing to intervene in human-rights abuses, to arrest indicted war criminals and to “clean out” local law enforcement organizations, refugees gained confidence in their

ability to live peacefully in their former homes. “The removal of suspects indicted for war crimes, who are symbols of impunity and are among the most obstructionist, has a ripple effect that can fundamentally alter the disposition of an area towards DPA implementation.”⁵¹ More directly, in 1999, SFOR began to assume a greater responsibility for refugee returns. The head of the UNHCR, Sadako Ogata, and SACEUR began more detailed coordination and planning for reintegration of displaced persons based on local capacity to support additional personnel, the local security situation and existing refugee flows. Nearly simultaneously, the OHR imposed a package of standardized property laws and reinforced “the duty of the authorities at all levels . . . to actively implement [citizens’] rights to their homes and property.”⁵² By 2000, SFOR was so thoroughly engaged in refugee returns that weekly reports detailed returns and supporting infrastructure development town by town and even person by person.⁵³ As SFOR involvement grew, “minority returns...increased steadily...from some 40,000 minority returns in 1999...to 102,000 in 2002. Although other factors helped, SFOR is credited with being the main reason for the increase.”⁵⁴ By 2004, the Bosnian government had assumed responsibility for Annex 7 (Agreement on Refugees and Displaced Persons) in the GFAP and 93% of abandoned property had been reoccupied.⁵⁵

Changing the Game: Creating Flexibility within the GFAP

The difficulties in getting the GFAP signed in 1995 portended huge problems if all the parties reconvened to “rewrite Dayton.” Rather, it was critical that the military and civil enforcement agencies of the GFAP be able to adjust informally as the situation changed. The flexibility in both NATO and the OHR to adjust to the situation in B-H was to some degree intentional. Ambassador Richard Holbrooke, the primary author of the

GFAP, made it clear that “Dayton [was] a framework, not a straitjacket,”⁵⁶ and that adjustments were allowed without a return to the negotiating table. Instead, the PIC, and more accurately, the Steering Group for the PIC, headed by the OHR, provided a mechanism for political changes to the interpretation of Dayton. As the PIC recognized that the OHR needed more authority to induce change and cooperation between the entities, it was able to grant those powers without having to create a new peace agreement. In Bonn in 1998, for instance, the PIC authorized the High Representative “to use his full authority to facilitate the resolution of difficulties by making binding decisions. . .[and to] take actions against persons holding public office or officials. . .found by the High Representative to be in violation of legal commitments made under the Peace Agreement...”⁵⁷ This authorization allowed the OHR to remove ethno-nationalist elected officials and corrupt police officers from office. This political flexibility from the “owners” of Dayton allowed the OHR to evolve from a “coordinator” to an office of real political power that was able to force meaningful interaction and change between the entities in B-H.

IFOR originally deployed under a timeline that anticipated “Transition to Peace” within 270 days of arriving in B-H.⁵⁸ Yet, as military and civil success became more closely linked in the minds of military leaders, NATO had similar means to gain operational flexibility without returning to its political masters at the NAC. COMIFOR, Admiral Smith, used the rather generic phrase regarding “military security” in the GFAP to justify everything from infrastructure reconstruction to police action and refugee support.⁵⁹ SFOR also made use of early success in the “military only” elements of

Annex 1A to move to “secondary missions” that enabled a wider range of military involvement in civil operations.

This shift from ‘implementation’ to ‘stabilization’ is well described in NATO’S own language: ‘By successfully accomplishing [its] principal military tasks, SFOR will contribute to a secure environment within which civilian agencies can continue to carry out the process of economic development, reconstruction, political institutions, and an overall climate of reconciliation for BH and its citizens. ... SFOR will work closely with the HR, the IPTF, the UNHCR, the OSCE, and the ICTY...to assist their efforts ... which are essential to the long-term consolidation of peace in B-H.’⁶⁰

Finally, the military made use of changes in operational law for IFOR and SFOR members which allowed them to perform “non-military” tasks such as establishing police checkpoints; conducting police operations in the zone of separation; stopping, detaining or dispersing armed civilian groups [defined as two or more civilians carrying one or more weapons]); and searching NGOs, in order to better fill the holes in Bosnian society that civilian agencies were unable to address due to lack of capacity.⁶¹

Learning from Dayton

More than 14 years after the signing of the Dayton Accords, Bosnia is still not out of the woods. The three ethnic groups continue to play a balance-of-power game without achieving true unity, and many argue the weakness of the central government established by the GFAP will lead to continued virtual autonomy between the two entities. Yet the absence of overt violence—despite a reduction in military forces from 60,000 initially to only 7,000 by 2004⁶²—as well as political progress within Bosnia, and its continued trend towards integration into both the EU and UN, certainly highlight NATO’s relative success in Bosnian RS operations. Much of this success is due to the flexibility that political and military leaders demonstrated over the course of the mission.

In the early days of IFOR, there was strong concern among Allies of the dangers of "mission creep," that is the tendency to begin taking on tasks perceived as better performed by civilian actors. Rapidly, however, it became clear that there could be no military success in isolation. If the overall peace-building effort failed to produce conditions for a stable and lasting peace, this would be perceived as much as NATO's failure as that of the civilian agencies. This helped forge closer links between the peacekeeping force and its civilian counterparts, including, for example, the development of a doctrine for civil-military cooperation...the classical task of serving as a "neutral" buffer between consenting parties...evolved into operations geared towards managing political, economic and social change.⁶³

Entering into any RS environment, military and civilian leaders must recognize that often the military represents the only real capacity to influence the environment. "However experienced or talented civilians may be, the military always retains the primary responsibility for establishing and maintaining public order, security, and emergency services in an immediate post-combat setting."⁶⁴ While it is important for military commanders to guard against mission creep—that is, assignment or acceptance of missions that the military is incapable of performing—and to ensure to the greatest extent possible that military missions are realistic and achievable, it is just as critical that they recognize the indivisible nature of the civil/military requirements for success. It is more effective to embrace the view of General Clark, who viewed mission creep as "overextending the force's capabilities, rather than in taking on any particular new task."⁶⁵ Thus, while military leaders may prioritize separation of warring parties and the prevention of conflict in a peace enforcement role, they must recognize that infrastructure and housing rehabilitation, law enforcement and refugee returns—literally any task which the military is capable of performing at some basic level—may be just as critical to long-term success. ROE, the types of units deployed, the tactical and operational tasks assigned and predeployment training all must reflect this continuum of

military operations. In execution, measures of success must focus not just on casualties or incidents, but on results like economic growth, refugees returned, arrests, the development of state institutions such as election commissions, military and police forces, and other “civil” items of concern.

From a narrow military perspective, the [initial 1 year IFOR] timeline was not improbable. However, given the task of ensuring a safe and secure environment conducive to the development of democratic institutions, the one year promise was hopelessly optimistic and unfortunate...That promise...[caused] aversion to risk that arguably kept [NATO] from doing things that could have accelerated progress.⁶⁶

The evolution of post-conflict B-H also reminds us that timelines are rarely relevant in an RS scenario—milestones and event-driven operations are critical to creating conditions for overall success vice watching an arbitrary clock. When timelines may be politically necessary, adjusting them as the situation may dictate is critically important. While early success might be feasible, it is much more likely that forces and assistance will be necessary for a significant period of time. In this case, whether changing the name of the operation or the force, or simply extending a force in place based on conditions, the ability to conduct operations without a rigid timeline is necessary.

Ultimately, the flexibility of the Dayton Accords led to their success. This flexibility allowed for changes in military/civil relationships—a military force that became more involved in supporting civil requirements; flexibility in military operations; and a change in the political authority of the civil implementation structure. When combined with forceful personalities and strong relationships between leaders on both sides, this flexibility allowed for integrated RS operations with a military force that both fully embraced and supported civilian milestones in the march towards reconciliation.

Endnotes

¹ U. S. Department of Defense, Stability Operations, DODI 3000.05 (Washington, D.C., US Department of Defense, September 16 2009), 2.

² R. Craig Nation, *War in the Balkans: 1991-2002*, (Carlisle, PA, Strategic Studies Institute, 2003), 149; and James Dobbins, et. al. *America's Role in Nation Building: From Germany to Iraq* (Santa Monica, CA, Rand Corporation, 2003), 87-88.

³ "U.N. Security Council Resolution 743," February 21, 1992, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/011/02/IMG/NR001102.pdf?OpenElement> (accessed January 21, 2010).

⁴ Nation, *War in the Balkans: 1991-2002*, 189.

⁵ Ibid., 146-194.

⁶ *Dayton Accords, Annex 2* November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann2.html> (accessed February 17, 2010) Art. V; and Nation, *War in the Balkans: 1991-2002*, 192, 201.

⁷ "Bosnia-Herzegovina After Action Review 1," briefing slides with scripted commentary, Carlisle Barracks, PA, US Army Peace Keeping Institute, October 21, 1996.

⁸ *Dayton Accords, Annex 1A*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann1a.html>, (accessed February 17, 2010) Art. VI, para 2.

⁹ Ibid., Art. VI, para 3.

¹⁰ Ibid., Art. VI, para 5.

¹¹ Ibid., Art. I, para 1b.

¹² "U.N. Security Council Resolution 1031," December 15, 1995, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N95/405/26/PDF/N9540526.pdf?OpenElement> (accessed January 27, 2010).

¹³ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 94.

¹⁴ International Crisis Group, *Bosnia: Reshaping the International Machinery*, (Sarajevo, International Crisis Group, 29 Nov 01), 2; and Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 95.

¹⁵ *Dayton Accords, Annex 10*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann10.html>, (accessed February 17, 2010) Art II, para 1.

¹⁶ This more aggressive view of the OHR was a result of the recognition that the initial lack of authority granted the office was detrimental to civil progress in B-H. However, the PIC was able to implement these changes because of a shift in domestic politics. Elections in the US and

the UK provided the operating space for those governments to both extend IFOR's mandate and increase the powers of the OHR.

¹⁷ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 102.

¹⁸ *Dayton Accords, Annex 10*, Art II, para 9.

¹⁹ Nations, *War in the Balkans: 1991-2002*, 194.

²⁰ *Dayton Accords, Annex 1B*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann1b.html> (accessed February 17, 2010) Art II.

²¹ *Dayton Accords, Annex 3*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann3.html>, (accessed February 17, 2010) Art I-IV.

²² *Dayton Accords, Annex 6*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann6.html>, (accessed February 17, 2010) Art V, para 2.

²³ *Dayton Accords, Annex 7*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann7.html>, (accessed February 17, 2010) Art I, para 5.

²⁴ Despite the fact that IFOR was tasked with supporting the UNHCR, there was no mandate for the UNHCR to coordinate with a military force under a non-UN "chain of command," and so refugee repatriation plans were often developed and implemented without reference to the security situation.

²⁵ *Dayton Accords, Annex 11*, November 21, 1995, <http://www.state.gov/www/regions/eur/bosnia/dayann11.html>, (accessed February 17, 2010) Art II-III.

²⁶ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 98-99.

²⁷ *Dayton Accords, Annex 11*, Art V, para 2.

²⁸ *Dayton Accords, Annex 1A*, Article VIII.

²⁹ *Dayton Accords, Annex 10*, Art II.

³⁰ *Ibid.*

³¹ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 91-92.

³² *Dayton Accords, Annex 1A*, Art. VI, para 3a.

³³ International Crisis Group, *Bosnia: Reshaping the International Machinery*, 2.

³⁴ Steven R. Bowman, et. al., *Bosnia Stabilization Force (SFOR) and US Policy*, (Washington DC, Congressional Research Service, 1998), 2.

³⁵ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 104.

³⁶ Department of the Army, *FM 3-07: Stability Operations*, (Washington DC, Department of the Army, 2008), 1-18.

³⁷ *Ibid.*, 3-14.

³⁸ *Dayton Accords, Annex 1A*, Art VI, para 2a.

³⁹ Swain, *War, Not War; Army Command in Europe During the Time of Peace Operations*, 171.

⁴⁰ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 98-99.

⁴¹ Robert M. Perito, *Where is the Lone Ranger When We Need Him? America's Search for a Postconflict Stability Force*, (Washington DC, USIP Press, 2004), 7.

⁴² Swain, *War, Not War; Army Command in Europe During the Time of Peace Operations*, 141.

⁴³ *Dayton Accords, Annex 1A*, Art VI, para 5.

⁴⁴ Swain, *War, Not War; Army Command in Europe During the Time of Peace Operations*, 143.

⁴⁵ *26th Report by the High Representative to the UN Secretary General, 1 January-30 Jun 2004* (November 18, 2004), para XVI, XVII.

⁴⁶ Dobbins, *America's Role in Nation Building: From Germany to Iraq*, 95.

⁴⁷ Nation, *War in the Balkans: 1991-2002*, 202.

⁴⁸ *Dayton Accords, Annex 1A*, Art VI, para 3c,d.

⁴⁹ Sadako Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s*, (New York, W. W. Norton & Co., 2005), 115. In this case, the desire to prevent ethnic violence was compounded by confusion with the ROE: it was unclear whether force was authorized, or desired, to prevent further ethnic division.

⁵⁰ Nation, *War in the Balkans: 1991-2002*, 200-201.

⁵¹ Roberto Belloni, "Peacebuilding at the Local Level; Refugee Return to Prijedor," *International Peacekeeping*, 12, No 3 (April 2007), 445.

⁵² Belloni, "Peacebuilding at the Local Level; Refugee Return to Prijedor," 442; and Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s*, 116-117.

⁵³ CJ-9, *Weekly CIMIC Report, 11 October 2000* (Sarajevo, SFOR, 2000) 7-10.

⁵⁴ Patrice C. McMahon, "Rebuilding Bosnia; A Model to Emulate or Avoid," *Political Science Quarterly*, 119, No 4 (Winter 2004/2005), 578.

⁵⁵ 26th Report by the High Representative to the UN Secretary General, 1 January-30 Jun 2004, Para I.16

⁵⁶ Beth Kampschror, "Holbrooke: Dayton can be Changed" *Southeast European Times*, October 13, 2003.

⁵⁷ Daniela Heimerl, "The Return of Refugees and Internally Displaced Persons: From Coercion to Sustainability?" *International Peacekeeping*, 12, No. 3 (April 2007), 381.

⁵⁸ *Lessons and Conclusions on the Execution of IFOR Operations and Prospects for a Future Combined Security System: The Peace and Stability of Europe after IFOR*, (Fort Leavenworth, KS, Foreign Military Studies Office, 2000), 31.

⁵⁹ Leighton Smith, "NATO's IFOR in Action: Lessons from the Bosnian Peace Support Operations," *Strategic Forum*, No. 154 (January, 1999), 1; and Bowman, *Bosnia Stabilization Force (SFOR) and US Policy*, 7.

⁶⁰ *No Early Exit: NATO's Continuing Challenge in Bosnia*, International Crisis Group Balkans Report, No. 110, (22 May 2001), 3.

⁶¹ *Lessons and Conclusions on the Execution of IFOR Operations and Prospects for a Future Combined Security System: The Peace and Stability of Europe after IFOR*, 37.

⁶² NATO, "NATO in the Balkans," *NATO Briefing*, (Brussels, 2005), 4.

⁶³ NATO, "Building Peace and Stability in Crisis Regions," *NATO Briefing*, (Brussels, 2003), 3.

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⁶⁵ Swain, *War, Not War: Army Command in Europe During the Time of Peace Operations*, 166.

⁶⁶ Montgomery Meigs, "Balkan Peacekeeping Lessons for Iraq," April 25, 2003 <http://www.msnbc.msn.com/Default.aspx?id=3070257>, (accessed December 5, 2009).

